

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Public Servants – MA&UD Department – Allegations of Corruption against Sri A. Nageshwar, Manager (Engg.), HMWS&SB, Shapurnagar Section, Jeedimetla, Ranga Reddy district – Trapped on 06-07-2007 – Charge Sheet filed on 22.8.2008 in C.C.No.37/2008 – Acquitted in ACB Court – Further action dropped – Orders – Issued.

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.I(2)) DEPARTMENT

**G.O.Rt.No. 1093**

**Dated: 09-07-2013**  
**Read the following:**

1. From the DSP, ACB, CR-I, Hyderabad, Radio Message dated 6.7.2007.
2. From the MD, HMWSSB, Hyd. Proc.No.5079/E3/2007, dated 9.7.2007.
3. From the DG, ACB, Hyd., Lr.Rc.No. 125/RCT-CR-1/2007, dated 24.7.2007.
4. From the DG, ACB, Hyd., Lr.Rc.No. 125/RCT-CR-1/2007, dated 31.1.2008.
5. Govt. Letter No.14448/Vig.I(2)/2007-3, MA&UD Deptt., dated 11.3.2008.
6. From the DG, ACB, Hyd., Lr.Rc.No. 125/RCT-CR-1/2007, dated 7.1.2013, alongwith Judgment dated 31.10.2012 of the 1st Addl. Spl. Judge for SPE & ACB Cases, Hyderabad, in C.C.No.37/2008.

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**ORDER:**

Whereas, in the reference 1<sup>st</sup> read above, the Deputy Superintendent of Police, ACB CR-I, in the radio message, has stated that a case was registered against Sri A. Nageswar, Manager (Engg.), Shapurnagar Section, Hyderabad Metro Water Supply and Sewerage Board, Hyderabad on allegation of corruption, when he demanded and accepted bribe amount of Rs.20,000/- from the complainant for showing official favour to forward the Contract Certificate and working plan to the General Manager (Engg.), for clearing the bill. The AO was produced before Prl. Special Judge for SPE & ACB Cases, Hyderabad on 7.7.2007 and he has remanded to judicial custody on the same day. In the reference 2<sup>nd</sup> read above, the Managing Director, Hyderabad Metro Water Supply and Sewerage Board, Hyderabad, has placed the A.O. under suspension under rule 8(2)(a) and Rule 8(5) of APCS (CC&A) Rules 1991.

2. Whereas, in the reference 4<sup>th</sup> read above, the Director General, Anti Corruption Bureau, Hyderabad has furnished final report. He has recommended for prosecution of A.O Sri A. Nageshwar, Manager, in a court of law under section 7 and 13(2) r/w 13(1)(d) of the P.C. Act 1988 on bribe case and to initiate of departmental action for violation of APCS (Conduct) Rules.

3. Whereas, after careful examination of the matter, the Managing Director, Hyderabad Metro Water Supply and Sewerage Board, Hyderabad has been directed to accord sanction for prosecution in trap case and to initiate departmental action for violation of APCS (Conduct) Rules, 1964, against the A.O Sri A. Nageshwar, Manager, Hyderabad Metro Water Supply and Sewerage Board, Hyderabad, vide reference 5<sup>th</sup> read above. The Director General, ACB, Hyderabad has filed charge sheet before the Addl. Spl. Judge for SPE & ACB Cases, Hyderabad vide C.C.No.37/2008.

4. Whereas, in the reference 6<sup>th</sup> read above, the Director General, ACB, Hyderabad while enclosing the Judgment dated 31.10.2012 of the 1st Addl. Special Judge for SPE & ACB Cases, Hyderabad, in C.C.No.37/2008, has stated that the A.O Sri A. Nageshwar, Manager, Hyderabad Metro Water Supply and Sewerage Board, Hyderabad, was acquitted from the charges framed against him and it is not a fit case to prefer an appeal against the Judgement dated 31.10.2012 in C.C.No.37/2008. He has requested to communicate the Government Orders.

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5. Whereas, the I Addl. Spl. Judge for SPE & ACB Cases, Hyderabad, in the Judgement dated: 31.10.2012, among others, have pronounced that:

“by applying the settled principles of law enunciated in the judgments to the facts of the present case on hand, this court is of the considered view that the prosecution has miserably failed to establish the fact with regard to the alleged demand of the bribe made by the accused and also the acceptance of the same by him from PW 1 and, above all the prosecution has utterly failed to prove that an official favour was pending with the accused to oblige PW 1 by the time of the trap. On the synthesis of the above discussion in the foregoing paras, this court has no hesitation in holding that the prosecution has miserably failed in placing cogent, convincing, reliable, trustworthy and unimpeachable evidence to prove the alleged demand and acceptance of the bribe by the accused beyond reasonable doubt and, under these circumstances, the accused is entitled to seek a strong benefit of doubt in his favour. Hence, he found the accused not guilty for the offences under sections 7 and 13 (1) (d) r/w sec. 13 (2) of the Prevention of Corruption Act, 1988.”

6. Government after careful examination of the matter, keeping in view the Judgment of Ist Additional Special Judge for SPE & ACB Cases, Hyderabad and by obtaining advice of advisory authority, have decided to drop further action in trap case, against Sri A. Nageshwar, Manager, Hyderabad Metro Water Supply and Sewerage Board, Hyderabad. Accordingly, Government hereby drop further action in trap case, against Sri A. Nageshwar, Manager, Hyderabad Metro Water Supply and Sewerage Board, Hyderabad.

7. The Managing Director, Hyderabad Metro Water Supply and Sewerage Board, Hyderabad, shall take necessary action and furnish action taken report in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.K.JOSHI**

**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Managing Director, Hyderabad Metro Water Supply & Sewerage Board, Hyderabad.  
Sri A. Nageshwar, Manager, Hyderabad Metro Water Supply and  
Sewerage Board, Hyderabad, Hyderabad through Managing Director,  
HMWSSB, Hyderabad.

**Copy to:**

The Director General, ACB, Hyderabad.  
The Secretary to Vigilance Commission, APVC, Hyderabad.  
SF/SC

// Forwarded by Order //

**SECTION OFFICER**